UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

REGIONS BANK,)	
Plaintiff,)	
v.) GAGENO	
CURT D. JONES,	CASE NO.	
FISCHER VENTURES, LLC,)	
MARK A. FISCHER, and)	
DIPPIN' DOTS FRANCHISING, INC.,)	
,)	
Defendants.)	

TEMPORARY RESTRAINING ORDER AGAINST CURT D. JONES, FISCHER VENTURES, LLC, MARK A. FISCHER, AND DIPPIN' DOTS FRANCHISING, INC.

This matter is before the Court on the Motion of Regions Bank for Temporary Restraining Order and Preliminary Injunction Against Curt D. Jones, Fischer Ventures, LLC, Mark A. Fischer, Dippin' Dots Franchising, Inc., and Their Agents ("Motion"), 1 requesting a Temporary Restraining Order under Fed. R. Civ. P. 65(b).

After this Court's due consideration of the Motion, the Court preliminarily finds that:

- A. This Court has jurisdiction over this diversity action under 28 U.S.C. § 1332 and in personam jurisdiction over the defendants.
- B. The plaintiff Regions Bank ("Regions") has demonstrated that it is a judgment creditor of the defendant Curt D. Jones ("Mr. Jones") and, based on the facts as set forth in its Verified Complaint, that it has a strong likelihood of prevailing on the merits of its fraudulent transfer claim against the defendants pursuant to T.C.A. §66-3-301, et seq.

All capitalized terms herein have the same meaning as given them in the Motion.

- C. Regions is likely to suffer irreparable harm if it does not obtain injunctive relief because of the insolvency of Mr. Jones, which is presumed based on the fact that he is generally not paying his debts as they come due.
- D. No defendant suffers any risk of substantial injury if Regions is granted an injunction.
 - E. Public policy favors the prevention of fraud and the payment of judgments.

IT IS THEREFORE ORDERED that:

- (1) The defendants and their agents, employees, and assigns are enjoined from taking any action toward the disposition or transfer of any interests in Dippin Dots Franchising, Inc., a Kentucky corporation ("DDF");
- (2) The defendants and their agents, employees, and assigns are enjoined from issuing or re-issuing any certificates for any shares of DDF;
- (3) The defendants and their agents, employees, and assigns are enjoined from any transfer or disposition of the proceeds of any transfer or sale of any shares of DDF; and

	(4) A hearing on the request of Regions Bank for a preliminary injunction is hereby
set for	mouch 12, 2012, at 4'00 pur of
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ala	ing business none
Date:_	3-1-12 at 3:40mm Sull SAS
	United States District Court Judge

APPROVED FOR ENTRY:

s/Robert C. Goodrich Jr.
Robert C. Goodrich Jr. (Sup. Ct. No. 10454)
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